

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GENE W. SALVATI, individually and on )  
behalf of other similarly situated former )  
and current homeowners in Pennsylvania, )  
Plaintiffs, )  
vs. ) Civil Action No. 12-971  
vs. ) Judge Arthur J. Schwab  
vs. ) Chief Magistrate Judge Maureen P. Kelly  
Behalf of other similarly situated former )  
And current homeowners in Pennsylvania; )  
DEUTSCHE BANK NATIONAL TRUST )  
COMPANY, N.A. a subsidiary of )  
Deutsche Bank, AG; BANK OF )  
AMERICA HOME LOANS SERVICING ) Re: ECF No. 76  
a subsidiary of Bank of America, N.A.; )  
ONEWEST BANK, F.S.B.; McCABE, )  
WEISBERG & CONWAY, P.C., a law )  
Firm and debt collector, )  
Defendants. )

**ORDER**

AND NOW, this 15<sup>th</sup> day of December, 2014, after Plaintiff Gene W. Salvati, filed an action in the above-captioned case, and after a Motion to Dismiss was submitted by Defendant Deutsche Bank National Trust Company, ECF No. 76, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until December 19, 2014, to file written objections thereto, and upon consideration of the objections filed by Plaintiff, in which he agrees with the Magistrate Judge's Report and Recommendation but merely reserves the right to request further consideration in the event that there is a change in the controlling authorities, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Dismiss submitted on behalf of Deutsche Bank National Trust Company, ECF No. 76, is granted and the remaining claims against Defendant Deutsche brought at Counts I and II of the Complaint are dismissed.

By the Court:

/s/ Arthur J. Schwab  
United States District Judge

cc: Honorable Maureen P. Kelly  
United States Magistrate Judge

All Counsel of Record Via CM-ECF